

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

CHARLES W. WEBER,

Plaintiff,

vs.

GIL ALDEN, L. YOUNG, LT.
BARKER, DAN WILLIAMS, and
DEVON SCHRUM,

Defendants.

NO. CV-07-5029-EFS

**ORDER DISMISSING COMPLAINT WITHOUT
PREJUDICE AND DIRECTING THAT
COLLECTION OF THE FILING FEE CEASE**

Before the Court, without oral argument, is Plaintiff Charles W. Weber's Motion to Voluntarily Dismiss Complaint (Ct. Rec. 14) and Motion to Waive Remaining Filing Fee (Ct. Rec. 15). Defendants have not been served in this action.

Accordingly, **IT IS HEREBY ORDERED:**

1. Plaintiff's Motion to Voluntarily Dismiss Complaint (Ct. Rec. 14) is **GRANTED**. Pursuant to Federal Rule of Civil Procedure 41(a), Plaintiff's Complaint is **DISMISSED WITHOUT PREJUDICE**.

2. Finding good cause, Plaintiff's Motion to Waive Remaining Filing Fee (Ct. Rec. 15) is **GRANTED**. The institution that has custody of Mr. Weber shall cease collection of the filing fee in this action, cause number **CV-07-5029-EFS**.

ORDER DISMISSING COMPLAINT WITHOUT PREJUDICE AND
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IT IS SO ORDERED. The District Court Executive is directed to enter this Order, dismiss the above-captioned matter without prejudice, forward a copy to Plaintiff, and close the file. The District Court Executive is further directed to send a copy of this Order to the Office of the **Department of Corrections, Attn: LFO/COS UNIT, P.O. Box 41107, Olympia, WA 98504-1107**, to forward to the appropriate agency having custody of Plaintiff. The District Court Executive also shall provide a copy of this Order to the Financial Administrator for the United States District Court, Eastern District of Washington.

DATED this 27th day of November 2007.

S/ Edward F. Shea

EDWARD F. SHEA
UNITED STATES DISTRICT JUDGE